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\$ RCE  
1636

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/834095
Filing Date	April 12, 2001
First Named Inventor	Yoshihiro Kawaoka
Group Art Unit	1636
Examiner Name	Terry A. McKelvey
Attorney Docket Number	800.026US1
Customer No.	21186

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application entitled VIRUSES COMPRISING MUTANT ION CHANNEL PROTEIN.

Submission required under 37 C.F.R. § 1.114

1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
3. ☐ An Amendment Under 37 CFR § 1.116 (    pages ) is enclosed.
4. ☐ A new power of attorney (    pages ) is enclosed.

02/13/2004 DTESSEN1 00000090 09834095  
01 FC:2801  
02 FC:2202
5. ☐ An Information Disclosure Statement is enclosed (   2   pages ).

385.00 OP  
9.00 OP

  - a. Form(s) 1449
  - b. Copies of IDS Citations
6. ☒ A check in the amount of \$394.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e) and the additional claim fee.
7. ☒ **The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 CFR §§ 1.16 through 1.18 to Deposit Account No. 19-0743.**
8. ☒ A Petition for Extension of Time in the prior application ( 1 pages ) is enclosed along with a check in the amount of \$475.00.00 to pay the extension fee.
9. ☒ Others: Preliminary Amendment (10 pgs.).

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

By:   
Atty: Janet E. Embretson  
Reg. No. 39,665

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Attn-Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10<sup>th</sup> day of February, 2004.

Name

Signature



S/N 09/834095

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshihiro Kawaoka

Examiner: Terry A. McKelvey

Serial No.: 09/834095

Group Art Unit: 1636

Filed: April 12, 2001

Docket No.: 800.026US1

Title: VIRUSES COMPRISING MUTANT ION CHANNEL PROTEIN

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PRELIMINARY AMENDMENT

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the final Office Action mailed August 26, 2003 and the Advisory Action mailed January 8, 2004, please amend the application as follows:

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9.00 OP